



General Assembly

***Substitute Bill No. 5698***

*February Session, 2000*

***An Act Concerning Investigations Of Alleged Child Abuse By  
Certified Public School Employees.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (a) of section 17a-101i of the general statutes is repealed  
2 and the following is substituted in lieu thereof:

3 (a) (1) Notwithstanding any provision of the general statutes to the  
4 contrary, after an investigation has been completed and the  
5 Commissioner of Children and Families, based upon the results of the  
6 investigation, has reasonable cause to believe that a child has been  
7 abused by a certified public school employee in a position requiring a  
8 certificate, the commissioner shall notify the superintendent of such  
9 finding and shall provide records, whether or not created by the  
10 department, concerning such investigation to the superintendent who  
11 shall suspend such certified school employee. The commissioner shall  
12 also provide such records to such certified school employee regardless  
13 of whether the commissioner makes a finding that there is reasonable  
14 cause to believe that a child has been abused by such certified school  
15 employee unless the commissioner has made a diligent inquiry of law  
16 enforcement agencies and been notified by a law enforcement agency  
17 that such disclosure would jeopardize an ongoing criminal  
18 investigation or such certified school employee has been arrested for  
19 the conduct investigated by the commissioner.

20     (2) The superintendent shall not suspend such certified school  
21 employee prior to notification of a finding of reasonable cause by the  
22 Commissioner of Children and Families pursuant to subdivision (1) of  
23 this subsection unless (A) the superintendent determines that  
24 immediate suspension is required to ensure the safety of children, or  
25 (B) the superintendent has conducted an investigation and determined  
26 that there is reasonable cause to believe that a child has been abused by  
27 such certified school employee. Nothing in this subdivision or chapter  
28 166 shall prevent the superintendent, during the pendency of an  
29 investigation conducted by said commissioner or superintendent, from  
30 temporarily transferring such certified school employee to a position  
31 that does not involve direct contact with children.

32     (3) Such suspension shall be with pay and shall not result in the  
33 diminution or termination of benefits to such certified school  
34 employee. Within seventy-two hours after such suspension the  
35 superintendent shall notify the local or regional board of education  
36 and the Commissioner of Education, or [his] the commissioner's  
37 representative, of the reasons for and conditions of the suspension. The  
38 superintendent shall disclose such records to the Commissioner of  
39 Education and local or regional boards of education or their attorney  
40 for purposes of review of employment status or certification. Such  
41 suspension shall remain in effect until the superintendent determines  
42 that the certified school employee should be reinstated or disciplined  
43 other than by termination of contract or the board of education acts  
44 pursuant to the provisions of section 10-151. If the contract of  
45 employment of such certified school employee is terminated, the  
46 superintendent shall notify the Commissioner of Education, or [his]  
47 the commissioner's representative, within seventy-two hours after  
48 such termination. Upon receipt of such notice from the superintendent,  
49 the Commissioner of Education may commence certification  
50 revocation proceedings pursuant to the provisions of subsection (m) of  
51 section 10-145b. Notwithstanding the provisions of sections 1-210 and  
52 1-211, information received by the Commissioner of Education, or [his]  
53 the commissioner's representative, pursuant to this section shall be

54 confidential subject to regulations adopted by the State Board of  
55 Education under section 10-145g.

**JUD Committee Vote:** Yea 40 Nay 0 JFS